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PATENT



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Marvin Ornstein

**Patent No.:** 5,718,431

**Issued:** February 17, 1998

**Application No.:** 08/804,299

**Filed:** February 21, 1997

**For:** GAMING SYSTEM AND METHOD  
FOR MULTIPLE PLAY WAGERING

**Group:** 3304

**Examiner:** B. Layno

Our File: MAO-PT002.1

(Formerly ORN 3.0-002 REISSUE)

**SUPPLEMENTAL REISSUE DECLARATION,  
POWER OF ATTORNEY AND PETITION**

Commissioner For Patents  
Washington, D.C. 20231

Sir:

1. I, Marvin Ornstein, a U.S. citizen have read the foregoing specification and claims, and I verily believe that I am the original, first and sole inventor of the invention entitled GAMING SYSTEM AND METHOD FOR MULTIPLE PLAY WAGERING and which is described and claimed in U.S. Patent No. 5,718,431 issued February 17, 1998, and that I do not know and do not believe that this invention was ever known or used in the United States before my invention or discovery thereof. My U.S. Patent No. 5,718,431 has not been assigned to Mao Inc. and is recorded with the U.S. Patent Office at Reel 9719, Frame 0595.

**Reissue Applicant:** Marvin Ornstein  
**Reissue Application No.:** 08/804,299

2. I verily believe that I am the original, first and sole inventor of the invention entitled GAMING SYSTEM AND METHOD FOR MULTIPLE PLAY WAGERING and which is described and claimed in Reissue Application Serial No. 08/804,299 filed together with my original Declaration and that I do not know and do not believe that this invention was ever known or used in the United States before my invention or discovery thereof.

3. I hereby state that I have reviewed and understand the contents of the above-identified issued patent, including the specification and claims, as amended, as shown in the preliminary amendment accompanying this Reissue Declaration.

4. I acknowledge a duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

5. I further pray that I may be allowed to surrender the aforesaid United States Patent No. 5,718,431, issued February 17, 1998, and that such Letters Patent may be reissued to me for the same invention upon the foregoing amended claims. With this Petition is filed an Order for an Abstract of Title, duly certified, as is required in such cases.

6. I declare that the above-identified patent is inoperative or invalid by reason of claiming less than I had a right to claim in the patent. More specifically, an error has occurred in the original patent in that the claims of the issued patent are unnecessarily limited due to the recitation that a player is required to make a conventional bet, as well as a side bet, whereas the

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main thrust of the invention is the ability to make a bet in which a player selecting the number of consecutive games the player expects to win regardless of whether a conventional bet is made. I am also the inventor of U.S. Patent No. 5,570,885, issued November 5, 1996 entitled ELECTRONIC GAMING SYSTEM AND METHOD, etc. which describes in the specification and recites claims directed only to a game in which a player makes a consecutive win bet absent a conventional bet. In the specification of my U.S. Patent No. 5,718,431, I state that my objective is to provide a non-electrical, non-electromechanical technique for the game disclosed in U.S. Patent No. 5,570,885.

7. That on or about January 3, 2000 and after issuance of U. S. Patent No. 5,718,431, I was preparing my game for use in casinos in the United States. In considering the use of various alternatives of my game, I reviewed the '431 patent and discovered that the claims were unnecessarily limited by including limitations requiring the making of a conventional bet which are not required to achieve the principal objectives of the invention. I brought my analysis of the objectives of the invention to the attention of patent counsel, who confirmed that the claims were so limited and advised that a reissue patent could be requested to correct the unnecessarily limited patent by the addition of claims of a scope which eliminate the requirement that a player make a conventional bet. Until such time, I was unaware that the claims were so limited. Patent counsel

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**Reissue Application No.:** 08/804,299

advised that the claims could be broadened by way of a reissue proceeding and I authorized the filing of a reissue application.

New claims 27 and 28 set forth in the Preliminary Amendment accompanying the original Declaration, cure the unduly limited nature of the original claims.

8. All errors set forth hereinabove and in the reissue application up to the time of filing of the Declaration, and being corrected herein, arose without any deliberate or deceptive intent on my part.

9. I have read the Declaration of Louis Weinstein accompanying this Declaration, and hereby ratify its contents.

10. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

11. I hereby appoint the following attorney to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

**Reissue Applicant:** Marvin Ornstein  
**Reissue Application No.:** 08/804,299

Louis Weinstein, Esquire  
Registration No. 20,477  
Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103

Address all communications regarding this Reissue Application to Louis Weinstein at the above address.

Address all telephone calls to Louis Weinstein at Telephone No. 215-568-6400.

INVENTOR'S FULL NAME: Marvin Ornstein

SIGNATURE OF INVENTOR: M A Ornstein

DATE: January 18, 2001

RESIDENCE: 605 Porter Street, Ocean Springs, MS 39564

CITIZENSHIP: UNITED STATES

POST OFFICE ADDRESS: SAME AS ABOVE



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Marvin Ornstein

**Patent No.:** 5,718,431

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SUPPLEMENTAL DECLARATION OF LOUIS WEINSTEIN

Commissioner For Patents  
Washington, D.C. 20231

Sir:

LOUIS WEINSTEIN, declares that:

1. He is a patent lawyer with the law firm of Volpe and Koenig, P.C. located at Suite 400, One Penn Center, 1617 John F. Kennedy Boulevard, Philadelphia, Pennsylvania 19103 and that he is registered to practice before the U.S. Patent and Trademark Office, Registration No. 20,477, and submits this Supplemental Declaration together with the Supplemental Declaration of Marvin A. Ornstein.

**Applicant:** Marvin Ornstein  
**Patent No.:** 5,718,431

2. He prepared U.S. Patent Application Serial No. 804,299, filed February 21, 1997, which issued as U.S. Patent No. 5,718,431 on February 17, 1998.

3. U.S. Application Serial No. 804,299 was allowed on the first Official Action on the merits of the application, the reason for allowance being because the prior art does not provide the claimed steps of a player making a bet selecting a predetermined number of consecutive wins by placing the bet in one of a predetermined group of consecutive win bet receiving regions, "placing the streak be chip upon the chip receiving region identifying two consecutive wins to be attempted when the player has won the first game" and "transferring the streak chip to successively higher numbered consecutive wins bet receiving regions until the streak chip is placed upon the consecutive win bet receiving area in which the consecutive win bet was originally placed".

4. Upon payment of the Issue Fee, Application Serial No. 802,299 issued as U.S. Patent No. 5,718,431 on February 17, 1998.

5. The reasons for allowance were reported to the inventor.

6. Responsive to Applicant's telephone inquiry as to the scope of the claims of U.S. Patent No. 5,718,431, Declarant studied the patent and advised Applicant that he believed an error

**Applicant:** Marvin Ornstein  
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occurred in the original patent in that the claims are limited to requiring that a conventional bet be made by a player in addition to a consecutive number of wins bets and that the Applicant's invention is entitled to a scope substantially set forth in the new claims 27 and 28 filed in the above-identified Reissue application.

7. Declarant advised Applicant that the claims of the issued patent are more limited than Applicant believed them to be.

8. Declarant prepared new claims 27 and 28 for the consideration of Applicant. These claims were submitted as part of the aforesaid Reissue application.

9. The scope of claims 27 and 28 is different from the scope of the claims 1-26 of the issued Patent No. 5,718,431. Claim 26 is set forth hereinbelow, each compared with at least one claim of the issued patent, the bracketed portion showing those parts of the claim of the original patent that have been eliminated from the new reissue claims, the underlined portions showing what is not found in the original claim and has been added to the Reissue claim, the parts that are neither underlined or bracketed being the same in both the original claim and the Reissue claim.

**Applicant:** Marvin Ornstein  
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U.S. Patent No. 5,718,431 contains independent claims 1 and 10. Claim 1 sets forth a method for plying a game of black jack which includes making a conventional bet and a consecutive wins bet.

Claim 10 sets forth a method by playing a game of chance which includes making a conventional bet and a consecutive wins bet.

Claim 27 compared with Claim 1:

27. A method of playing blackjack, comprising the steps of:
  - (a) providing a conventional game receiving region and a plurality of consecutive win chip receiving regions for the player, each such region identifying a number of consecutive wins starting with the number two and up to a maximum number of chip receiving regions permitted by rules of the game;
  - [(b) the player making a conventional bet of a denomination within the denomination range permitted by rules of the game;]
  - [(c)] b the player making a bet selecting a predetermined number of consecutive wins by placing the bet in one of a predetermined group of consecutive win bet receiving regions for use by

the player, each bet receiving region representing a different number of consecutive wins, the bet being of a denomination permitted by rules of the game;

[(d)] c dealing the player and dealer a predetermined number of cards;

[(e)] d dealing the player and the dealer additional cards, when necessary until the game is complete;

[(f)] e deciding the winner of the game in accordance with conventional blackjack rules;

[(g)] f providing a streak chip for use in monitoring a number of consecutive wins made by the player[.] ;

[(h)] g placing the streak chip upon the chip receiving region identifying two consecutive wins to be attempted when the player has won the first game;

[(i)] repeating step (b) preparatory to the play of the second game;]

[(j)] h repeating steps (d) through (f) during the play of each succeeding game;

[(k)] i transferring the streak chip to successively higher numbered consecutive wins bet receiving regions until the streak chip is placed upon the consecutive win bet receiving area in which the consecutive win bet was originally placed; and

[(l)] j paying a player an amount equal to the denomination of the consecutive wins bet made by the player at step [(c)] (b) multiplied by the odds for the consecutive wins selected when the player wins a game following step [(k)] (i).

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28. A method of playing a game of chance, comprising the steps of:

(a) providing a conventional game receiving region and a plurality of consecutive win chip receiving regions for the player, each such region identifying a number of consecutive wins starting with the number two and up to a maximum number of chip receiving regions permitted by rules of the game;

[(b) the player making a conventional bet of a denomination within the denomination range permitted by rules of the game;]

[(c)] (b) the player making a bet selecting a predetermined number of consecutive wins by placing the bet in one of a predetermined group of consecutive win bet receiving regions for use by the player, each bet receiving region representing a different number of consecutive wins, the bet being of a denomination permitted by rules of the game;

[(d)] (c) playing the game of chance;

[(e)] (d) deciding the winner of the game in accordance with conventional rules of the game;

[(f)] (e) providing a streak chip for use in monitoring a number of consecutive wins made by the player.

[(g)] (f) placing the streak chip upon the chip receiving region identifying two consecutive wins to be attempted when the player has won the first game;

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[(h) repeating step (b) preparatory to the play of the second game;]

[(i)] (g) repeating steps [(d)] (c) and [(e)] (d) during the play of each succeeding game;

[(j)] (h) transferring the streak chip to successively higher numbered consecutive wins

bet receiving regions until the streak chip is placed upon the consecutive win bet receiving area in which the consecutive win bet was originally placed; and

[(k)] i paying a player an amount equal to the denomination of the consecutive wins bet made by the player at step [(c)] (b) multiplied by the odds for the consecutive wins selected when the player wins a game following step [(j)] (i).

All of the errors in the patent up to the time of filing the reissue application, and which are being corrected herein, were without any deceptive intent on the part of the Applicant.

I, Declarant, hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

**Applicant:** Marvin Ornstein  
**Patent No.:** 5,718,431

Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, of any patent to which this verified statement is directed.



Louis Weinstein  
Registration No. 20,477  
Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
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(215) 568-6400

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Enclosures



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REISSUE)

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## ASSENT OF ASSIGNEE TO REISSUE

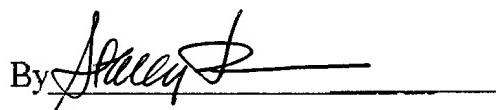
Commissioner For Patents  
Washington, D.C. 20231

Sir:

The undersigned Assignee of the entire interest in the above-mentioned Letters Patent  
hereby assents to the accompanying application.

Respectfully submitted,

Mao Inc.

By   
Stacey Perry  
Vice President

Date 2/20/01